

EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JEFFREY FADNESS,

Plaintiff,

v.

CHARTER COMMUNICATIONS, INC.,

Defendant.

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Civil Action No. 1:17-cv-00206-DAE

DECLARATION OF GAIL KODAMA

My name is Gail Kodama. I am over 18 years of age, of sound mind, and am competent and capable of making this declaration. The facts stated herein are within my personal knowledge and are true and correct.

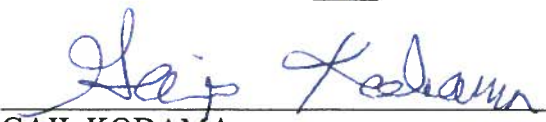
1. I am currently the Vice President of Direct Sales for the West Division for Charter Communications, Inc. ("Charter"). I have worked for Charter since 2005. Due to my position of Vice President of Direct Sales for the West Division, as well as my previous positions with Charter, including Senior Director of Sales, I have knowledge regarding its status as a telecommunications provider and a cable service provider.
2. Charter (NASDAQ: CHTR) is a leading broadband communications company providing video, Internet, and voice services to approximately 26.2 million residential and business customers (as of December 31, 2016) and is considered the second largest cable operator in the United States. As of December 31, 2016, Charter services 41 states in all and has approximately 90,000 employees.

3. Charter provides a full range of advanced broadband services, including Spectrum TV video entertainment programming, Spectrum Internet access, and Spectrum voice services. Spectrum Business in particular provides scalable, tailored and cost-effective broadband communications solutions to business organizations, such as access to business-to-business Internet access, data networking, business telephone, video and music entertainment services, and wireless backhaul.
4. On May 18, 2016, Charter's acquisition of and merger with Time Warner Cable was complete. As a result of this merger, Charter became the new public parent company that holds the operations of the combined companies.
5. Charter sells its residential and commercial services using a national brand platform known as Spectrum, Spectrum Business, and Spectrum Enterprise.
6. Charter is a telecommunications provider. Within Texas in particular, Charter is a nondominant carrier of telecommunications services. It is also a specialized common carrier. Charter is not a provider of enhanced or information services. Charter is not another user of telecommunications services, who does not also provide telecommunications services. Charter also is not a state agency or state institution of higher education, or a service provided by a state agency or state institution of higher education.
7. Charter, through its national brand platform, Spectrum, is an entity determined by the Public Utility Commission of Texas to provide telecommunications services to customers in Texas, and in particular, is considered an interexchange telecommunications carrier registered with the State of Texas. Attached hereto are the Interexchange ("IXC") Reports filed by Spectrum with the Public Utility Commission of Texas, collectively as Exhibit "A".

8. Spectrum also is a competitive local exchange carrier registered with the State of Texas. Attached hereto are the Competitive Local Exchange Carrier Reports filed by Spectrum with the Public Utility Commission of Texas, collectively as Exhibit "B".
9. Charter is a cable service provider as well. Charter provides cable services, which include (A) the one-way transmission to subscribers of (i) video programming, or (ii) other programming service, and (B) subscriber interaction, if any, which is required for the selection or use of such video programming or other programming service. Charter provides the one-way transmission to subscribers of programming provided by, or generally considered comparable to programming provided by, a television broadcast station, as well as the subscriber interaction required for the selection or use of such programming. Charter also provides information that a cable operator makes available to all subscribers generally, as well as the subscriber interaction required for the selection or use of such information.
10. Charter's Account Executives ("AE"), including Account Executive II sales representatives based in Austin, Texas, are non-management employees of Charter, who, as part of their duties, go to businesses within defined geographic areas to educate potential business customers on Charter's cable, telephone, and internet services with the intent of eventually selling or upgrading products and services. These duties are within the scope of the Account Executives' employment with Charter.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 9, 2017.


GAIL KODAMA